

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

Larry Percell Maybin,

Plaintiff,

v.

HotSpot,

Defendant.

C/A No. 7:15-797-TMC

**ORDER**

Plaintiff, a pretrial detainee proceeding *pro se*, filed a Complaint pursuant to 42 U.S.C. § 1983. On March 3, 2015, the court issued an order allowing Plaintiff an opportunity to sign the Complaint and submit the financial and service documents necessary to bring the case into proper form for evaluation and possible service of process. (ECF No. 7). The United States Postal Service returned the order to the court as undeliverable mail. (ECF No. 9).

Plaintiff did not submit a notice of address change in this case; however, he did advise the court of his transfer to the South Carolina Department of Corrections in a separate pending civil action. *See Maybin v. Spartanburg Cnty. Sheriff's Dep't*, C/A No. 0:14-4853-TMC-PJG (D.S.C. Dec. 29, 2014). Therefore, the court issued a second proper form order to Plaintiff on March 31, 2015 and directed the Clerk of Court to mail the order to Plaintiff at Kirkland Correctional Institution. ECF No. 13. The order, which warned Plaintiff that failure to provide the necessary information within a specific time period would subject the case to dismissal, apparently reached Plaintiff as it was not returned to the court. Plaintiff did not respond to the order and the time for response has lapsed. As Plaintiff has failed to prosecute this case and has failed to comply with an order of this court, the case is **dismissed without prejudice** pursuant to Rule 41 of the Federal Rules of Civil Procedure. *See Link v. Wabash R.R. Co.*, 370 U.S. 626 (1962).

**IT IS SO ORDERED.**

May 1, 2015  
Anderson, South Carolina

/s/ Timothy M. Cain  
Timothy M. Cain  
United States District Judge

**NOTICE OF RIGHT TO APPEAL**

The parties are hereby notified of the right to appeal this order within the time period set forth under Rules 3 and 4 of the Federal Rules of Appellate Procedure.